

REMARKS

The Examiner's rejection of claim 1 under Section 112 for lack of antecedent bases for the terms "the longitudinal" and "said space" has been obviated by the revisions to claim one.

Regarding the Examiner's rejection of claims 1-3 on the basis of Andersson (U.S. 4,971,054), there is clearly differentiating language in the claims, for example – claim 1, that precludes the Examiner making a valid rejection on the basis of the Andersson patent. The applicant's specification makes reference to the Swedish counterpart of the Andersson patent (i.e., SE B 462 367) and expressly distinguishes it from the invention of the presently amended claims.

In addition, the Examiner is requested to note that the International Search Report of PCT/SE 02/ 00523 (a copy of which has been previously submitted to the Examiner in this case) identifies the Andersson patent (i.e., the Swedish counterpart of US 4,971,054) as a "Category A" prior art. "Category A" prior art are "documents defining the general state of the art which is not considered to be of particular relevance".

As explained in the portion of the specification that discusses the Andersson device, the advantages of the arrangement of components claimed herein include: a less bulky, better distribution and mix of air when inspired, less disruption of oxygen, any one of these advantages or others alone is sufficient to make the claims allowable. See the second full paragraph of the specification.

Note that the reference numerals have been deleted from the claims to avoid any suggestion that it would be appropriate to construe the claims as being limited to the specific embodiment shown in the drawing figures or discussed in the application.


Please note that Applicant has included a Form 1449 for citation of the PCT search report previously submitted.

Applicant does not believe that any fees are required for the submission of this Amendment in Compliance with 37 CFR 1.121. However, if Applicant's belief is incorrect, you are hereby authorized to deduct the required amount from Deposit Account No. 02-0400 (Baker & McKenzie). When identifying such a withdrawal, please use our Attorney Docket No.: BLOM-105-US.

It is believed that the application is now in a condition for allowance. If the Examiner believes that discussion of this application would be beneficial, she is urged to contact the undersigned at the telephone number listed below.

January 17, 2006

Respectfully,



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